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Letters

U.S. Has the Right to Limit Soviet U.N. Mission

To the Editor:

As the authors of a bill, S.1773, to limit the size of the Soviet Mission to the United Nations, we would like to comment on the March 11 news article "U.N. Experts Debate U.S. Order to Moscow." The article dealt with legal issues relating to the State Department announcement on March 7 that the Soviets would have to cut their U.N. Mission personnel from 275 down to 170.

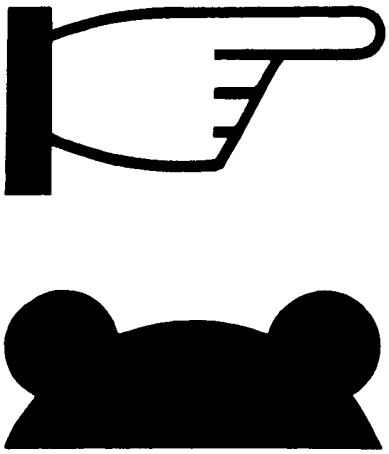
The F.B.I. has stated publicly that the Soviets employ a large percentage of their Mission for espionage purposes. Actions by the Administration and Congress to limit the official representation in the U.S. from countries that engage in such hostile intelligence activities represent a determination to counter espionage operations run under diplomatic and other official cover.

We believe that limiting the size of the Soviet Mission to the United Nations is both consistent with international agreements and a valid exercise of our country's right to protect its national interests while playing host to the U.N. When we introduced S.1773 last Oct. 18, we submitted a detailed analysis of the legal issues. This included extensive citations from U.S. Government and U.N. sources on the application of the U.N. Headquarters Agreement of 1947.

Neither the Headquarters Agreement nor the Convention on the Privileges and Immunities of the U.N. (signed in 1946 but consented to by the Senate in 1970) refers specifically to the power of the host government to limit the size of national missions to the U.N.

The U.S. Government, however, expressed a reservation to the convention which made it clear that U.S. immigration laws take precedence over the convention in the case of any person "who abused his privileges of residence by activities outside his official capacity." The U.S. also stated with reference to the Headquarters Agreement that, "Nothing . . . shall be construed as in any way diminishing, abridging, or weakening the right of the United States to safeguard its own security" or to control the movement of foreign personnel outside the vicinity of U.N. Headquarters. The U.S. Government has consistently interpreted the clause concerning security as providing independent authority to limit the admission, and not merely restrict the movement, of the staff of national missions.

The claim has been advanced that the U.S. may act against the admission of particular persons but not with respect to the overall size of missions.



Anders Wenngren

In fact, as host country, the U.S. has the inherent power to regulate such missions when their size and the conduct of their personnel raise legitimate national security concerns.

As your editorial topic "U.N. Countdown" (March 12) indicates, the obvious touchstone here is reasonableness. We agree that the size of the Soviet Mission to the U.N. greatly exceeds what is reasonably required for its legitimate functions at the U.N., especially when viewed against the sizes of other national missions.

(Senator) PATRICK LEAHY
(Senator) WILLIAM S. COHEN
Washington, March 12, 1986

The writers are members of the Senate Select Committee on Intelligence.

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To the Editor:

The State Department could have made a much stronger case for reducing Soviet personnel at the United Nations. The department noted that such personnel "engage in activities unrelated to U.N. business, including espionage." But we should have been far more explicit: they invade our telephone system on a massive scale, violating both our laws and our rights.

This illegal activity has been public knowledge since the Rockefeller report of 1975. Arkady Shevchenko (former Under Secretary General of the U.N.) writes that by 1973, the Soviet Mission already "bristled with antennas for listening to American conversations," and that this technological espionage "mushroomed."

Questions are arising as to the appropriateness of the Administration's cutback order. They need not. The facts of the case would be clear, if only the Department of State would simply set them forth.

DANIEL PATRICK MOYNIHAN
Senator from New York
Washington, March 11, 1986

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